

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

APRIL 5, 2005

COUNTY COMMISSIONERS

Jennifer Hill, Chairman

Catherine C. Hanson, Vice Chairman

Robert A. Pool, District #2

Debbie Stivender, District #3

Welton G. Cadwell, District #5

Bill Neron, County Manager

Sanford A. Minkoff, County Attorney

James C. Watkins, Clerk to the Board

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

April 5, 2005

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

February 22, 2005	Regular Meeting
February 28, 2005	Special Meeting
March 1, 2005	Regular Meeting

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 9):

1. Request to acknowledge receipt of list of checks or warrants paid prior to this meeting, pursuant to Chapter 136.06(1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
2. Request from Administrative Services/Records Storage Facility to remove two Canon Microfilm Scanner 400, serial numbers AB301314 and AB305547, from fixed assets and donate both scanners to the Orange County School Board. Both scanners were declared surplus in June 2004. Request approval of deletion of fixed assets, \$14,990.26, and donation of items to the Orange County School Board – Approval.
3. Monthly Distribution of Revenue Traffic/Criminal Cases, Month Ending 28 February 2005. Disbursements due to Board: \$145,443.72. Same period, last year: \$225,107.20 – Acknowledge receipt.

4. Before the Florida Public Service Commission, Notice of Commission Hearing and Prehearing to Progress Energy Florida, Inc., Office of Public Counsel, Florida Industrial Power Users Group, Buddy L. Hansen, Sugarmill Woods Civic Association, Inc. and All Interested Persons, Docket Number 041272-EI, Petition for Approval of Storm Cost Recovery Clause for Recovery of Extraordinary Expenditures Related to Hurricanes Charley, Frances, Jeanne, and Ivan, by Progress Energy Florida, Inc. (for dates of hearings, see backup) – Acknowledge receipt.
5. Received from the City of Tavares Ordinance 2005-05 Amending the boundaries of the City of Tavares by Annexing Approximately 7.58 Acres Located at 30205 State Road 19, and as further described, passed and ordained the 2nd day of March 2005, by the City Council of the City of Tavares, Florida – Acknowledge receipt.
6. Received from the City of Fruitland Park – Ordinance 2004-029 – An Ordinance of the City Commission of the City of Fruitland park, Florida, Rezoning Approximately 1.5+/- Acres of Property Generally Located South of Spring Lake Road and West of Fair Oaks Drive, and more specifically described, passed and ordained the 13th day of January 2005, by the City Commission of the City of Fruitland Park, Florida – Acknowledge receipt.
7. Received from the City of Groveland – Ordinance 2005-02-07 – An Ordinance Extending and Increasing the Corporate Limits of the City of Groveland, County of Lake, State of Florida, Pursuant to the Provisions of Florida Statute 171.044; Annexing 17+/- Acres of Lake County Thereto a Certain Area of Land Contiguous to and Not Embraced Within the Present Limits of the City of Groveland, Florida, etc., passed and ordained in regular session by the City Council of the City of Groveland, Lake County, Florida, the 21st day of February 2005 – Acknowledge receipt.
8. Unclaimed excess proceeds for tax deeds totaling \$51,514.64. Transfer funds from Clerk's account to the Board of County Commissioners' account – Acknowledge receipt.

9. Before the Florida Public Service Commission, In re: Joint application for approval of transfer of majority organizational control of Chateau Communities, Inc., grandparent of Del Tura Phase I, LLC d/b/a Del Tura Utilities, holder of Certificate Number 298-S in Lee County; CWS Communities LP d/b/a Palm Valley Utilities, holder of Certificate Numbers 277-W and 223-S in Seminole County; and CWS Communities LP, holder of Certificate Number 518-W in Lake County, to Hometown America, L.L.C. – Docket Number 030998-WS, Order Number PSC-05-0270-CO-WS, Issued March 11, 2005 – Consummating Order dated March 11, 2005 – Acknowledge receipt.

RECOMMENDATION: Approval

IV. **COUNTY MANAGER'S CONSENT AGENDA** (Tabs 3 through 33)

A. **Budget**

Tab 3

1. Budget transfer – General Fund, Non-Departmental, in the amount of \$2,268.00 is requested. Transfer \$2,268.00 from Reserve for Operations to Aids to Government Agencies. On March 15, 2005, the Board of County Commissioners approved a \$5,000.00 donation to the Florida World War II Memorial in Tallahassee. The Lake County World War II Commemorative Committee had given \$2,821.71 to the County to be used for Veteran's Day activities, in particular those honoring World War II veterans. The remainder of this money (\$2,731.71) can be used for this donation. Additional funds are needed for the remainder of the donation for the memorial. Funds available in Reserve for Operations.

RECOMMENDATION: Approval

2. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$44,929.00 deposited into Voter Education and provide appropriations for the disbursement for voter education funds.

RECOMMENDATION: Approval

3. Resolution to amend the Law Enforcement Trust Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$37,578.00 deposited into Confiscated Property and provide appropriations for the disbursement of funds.

RECOMMENDATION: Approval

4. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2004/2005 in the amount of \$4,084.00 deposited into Insurance Proceeds/Loss Furniture/Fixtures/Equipment and provide appropriations for the disbursement of funds.

RECOMMENDATION: Approval

B. Community Services

Tab 4 Approval of two minor amendments to the Federal Fiscal Year (FFY) 2004-2008 Consolidated Plan for uses of Community Development Block Grant funds and direct the Department of Community Services to forward the amendment to the U.S. Department of Housing and Urban Development.

RECOMMENDATION: Approval

Tab 5 Approval of an amendment to the Community Development Block Grant Partnership Agreement with Mid-Florida Community Services, Inc. and authorize the Chairman to sign the amendment and execute the amended contract.

RECOMMENDATION: Approval

Tab 6 Approval of the Resolution authorizing the Director of Community Services to sign the Florida Department of Transportation reimbursement invoices due to the restructuring of the Transportation Disadvantaged Division.

RECOMMENDATION: Approval

Tab 7 Approval of the Resolution authorizing the Director of Community Services to sign the Florida Commission for the Transportation Disadvantaged reimbursement invoices due to the restructuring of the Transportation Disadvantaged Division.

RECOMMENDATION: Approval

Tab 8 Approval of the Resolution to receive revenue and distribute unanticipated Agency for Healthcare Administration (ACHA) Medicaid funding in the amount of \$743,930.00.

RECOMMENDATION: Approval

Tab 9 Approval of Resolution to recognize the accomplishments of Lake County's volunteers and to declare the month of May 2005 as Volunteer Appreciation Month in Lake County; a signed Resolution will be presented on Tuesday, May 3, 2005 at the Twelfth Annual Volunteer Recognition and Reception.

RECOMMENDATION: Approval

C. Economic Development and Tourism

Tab 10 Approval of a Real Estate Purchase and Sales Agreement between Lake County and Richard H. Langley, his successors or assigns, for a portion of Lot 37, Lake County Central Park Phase 2, and Lot 2, Home Depot Plat, both located in the Christopher C. Ford Commerce Park (approximately 122 acres) at a price of \$30,000.00 per acre.

RECOMMENDATION: Approval

Tab 11 Approval of a Policy to authorize the County Manager to establish procedures for the reimbursement of expenses incurred in the promotion of Lake County by the employees in the Department of Economic Development and Tourism, and for the entertainment in relation to travel writers, brokers, and others connected with the tourism industry.

RECOMMENDATION: Approval

Tab 12 Approval of an Amendment to the Agreement between Lake County and Cramer-Krasselt for Tourist Development Advertising Services.

RECOMMENDATION: Approval

Tab 13 Approval of an award of \$93,000.00 from the Jobs Growth Investment Trust Fund to Southeast Fabricators for the creation of thirty-two positions paying at least \$14.34 an hour or higher.

RECOMMENDATION: Approval

Tab 14 Approval of an award of \$42,000.00 from the Jobs Growth Investment Trust Fund to Florida North Trucking for the creation of twenty-one new positions paying at least \$14.34 an hour or higher.

RECOMMENDATION: Approval

D. Employee Services

Tab 15 Approval to accept and sign the Business Associate Agreement with Aon, our Benefits Consultant, in order to comply with the Federal Health Insurance Portability and Accountability Act (HIPAA) rules regarding privacy for our Self-Insured Group Health Plan.

RECOMMENDATION: Approval

E. Environmental Services

Tab 16 Approval to advertise seven Board appointed seats on the County-wide Solid Waste Advisory Committee.

RECOMMENDATION: Approval

F. Growth Management

Tab 17 Approval and execution of a Satisfaction and Release of Fine for property owned by Erick & Agnes McLeod, CEB Number 315-00.

RECOMMENDATION: Approval

Tab 18 Approval and execution of a Satisfaction and Release of Fine for property owned by James & Karl Loper, CEB Number 2001030089.

RECOMMENDATION: Approval

G. Procurement Services

Tab 19 Approval to award the contract to Seating Constructors USA, Inc. to provide labor and materials to repair the grandstands at the Lake County Fairgrounds Arena in the amount of \$42,829.02 in accordance with the School Board of Brevard County Contract Number 04-007 / JO.

RECOMMENDATION: Approval

Tab 20 Approval to declare the items on the attached lists surplus to County needs and authorize disposal as described; authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records; and authorize the Procurement Services Director to sign the vehicle titles.

RECOMMENDATION: Approval

Tab 21 Approval to award the contract for Homeowner Counseling Services to Affordable Housing by Lake, Inc., in accordance with Bid/RFP Number 04-055, in the amount of \$25,000.00.

RECOMMENDATION: Approval

H. Public Works

Tab 22 Approval and authorization to release a Letter of Credit for Performance in the amount of \$557,643.00; accept a Maintenance Bond in the amount of \$52,860.00; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Shamrock Development; and execute a Resolution accepting the following roads into the County Road Maintenance System: Wellington Lane (County Road Number 6549A), Winfield Court (County Road Number 6549B), and Meridian Circle (County Road Number 6549C) all relating to Grand Island Estates. Grand Island Estates consists of 47 lots – Commission District 4.

RECOMMENDATION: Approval

Tab 23 Approval to accept one Drainage Easement Deed; one Non-Exclusive Easement Deed; one Statutory Quitclaim Deed; two Statutory Warranty Deeds; and two Temporary Construction Easement/Perpetual Grading Easement Deeds that have been secured in conjunction with roadway and/or stormwater projects.

RECOMMENDATION: Approval

Tab 24 Approval and authorization to accept the final plat for Hartwood Reserve Phase I and all areas dedicated to the public as shown on the Hartwood Reserve Phase I final plat; accept a Performance Bond in the amount of \$2,568,363.34; and execute a Developer's Agreement for Construction of Improvements between Lake County and Levitt & sons, LLC. Hartwood Reserve Phase I consists of 183 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 25 Approval and authorization to accept the final plat for Plantation at Leesburg, Tract G, Phase I, Glendale Village and all areas dedicated to the public as shown on the Plantation at Leesburg, Tract G, Phase I, Glendale Village plat. Plantation at Leesburg, Tract G, Phase I, Glendale Village consists of 114 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 26 Approval and authorization to accept the final plat for Timberlane Phase I and all areas dedicated to the public as shown on the Timberlane Phase I final plat; accept a Performance Bond in the amount of \$349,149.83; and execute a Developer's Agreement for Construction of Improvements between Lake County and Banyan Homes for the Timberlane Plat. Timberlane Phase I consists of 64 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 27 Approval and authorization to accept the final plat for Arrowtree Reserve Phase II Partial Replat and all areas dedicated to the public as shown on the Arrowtree Reserve Phase II Partial Replat plat. Arrowtree Reserve Phase II Partial Replat consists of six lots – Commission District 3.

RECOMMENDATION: Approval

Tab 28 Approval and authorization to accept the final plat for Heathrow Country Estate Homes – Estate Lots and all areas dedicated to the public as shown on the Heathrow Country Estate Homes – Estate Lots plat. Heathrow Country Estate Homes – Estate Lots consists of 23 lots – Commission District 4.

RECOMMENDATION: Approval

Tab 29 Approval and execution of the Resolution facilitating the Reconstruction of CR-561 Paved Shoulders & Seawall Damage Caused by Hurricane Jeanne Project; execution of the Local Agency Program Agreement with the Florida Department of Transportation for the Reconstruction of CR-561 Paved Shoulders & Seawall Damage Caused by Hurricane Jeanne (FDOT FPN 418576-2-58-01 & 418576-2-68-02); and authorization to advertise for bids for the Reconstruction of CR-561 Paved Shoulders & Seawall Damage Caused by Hurricane Jeanne Project. Commission District 2.

RECOMMENDATION: Approval

Tab 30 Approval and execution of a Purchase Agreement with Professional Realty Advisors, Inc., Minnehaha Joint Venture and Langley Groves, Inc., for the South Clermont Connector Road Project, for right of way; and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the South Clermont Connector Road Project, in the amount of \$600,000.00.

RECOMMENDATION: Approval

Tab 31 Approval to provide funding for the Lake County Rails to Trails project through the Capital Improvement Project program in the amount of \$10,000.00; and request the Chairman to sign two original agreements upon receipt.

RECOMMENDATION: Approval

Tab 32 Approval and authorization to accept the final plat for Grand Oak Estates and all areas dedicated to the public as shown on the Grand Oak Estates final plat; accept a Letter of Credit in the amount of \$34,933.62; and execute a Developer's Agreement for Construction of Improvements between Lake County and Charlie Johnson Builders, Inc. Grand Oak Estates consists of 40 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 33 Approval and execution of a Purchase Agreement with Robert L. Bryan, Paul F. Bryan, Rebecca Bryan Dreisbach, and David C. Bryan, for right of way, and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the Twin Ponds Road Paving Project located in the Umatilla area, in the amount of \$14,640.00.

RECOMMENDATION: Approval

Tab 34 Approval and authorization to return funds for Construction of Improvements in the total amount of \$6,600.00 that were posted for Deer Island Club Parcel AA Replat.

RECOMMENDATION: Approval

Tab 35 Approval and signature on the Interlocal Agreement between Lake County and the City of Eustis for School Speed Zone Flasher Maintenance.

RECOMMENDATION: Approval

V. PERSONAL APPEARANCES/PRESENTATION/PUBLIC HEARING

A. PERSONAL APPEARANCES – 9:00 A.M. or as Soon Thereafter

1. EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Sasha Namundi, Plans Examiner II, Growth Management/Building Services

Leslie R. Moore, Delivery Service Driver/Operator, Community Services/Library Services/Library

George S. Dore, Librarian II, Community Services/Library Services/East Lake Library

Truman E. McCall, II, Equipment Operator II, Public Works/Road Operations/Maintenance Area III

William C. Cork, Jr., Firefighter/EMT, Public Safety/Fire and Rescue

Noah W. Hollis, Jr., Firefighter/EMT, Public Safety/Fire and Rescue

Donna R. Bohrer, Office Associate III, Growth Management/Current Planning

Presentation of Award to Employees with Fifteen Years of Service

Sharon K. Horton, Office Associate II, Public Works/Road Operations/Maintenance Area I

Jonathan F. Iannone, Support Services Supervisor, Public Safety/Fire and Rescue

Louis A. LaFond, Equipment Operator III, Public Works/Road Operations/Maintenance Area I

B. PRESENTATION – 9:00 A.M. or as Soon Thereafter

1. PRESENTATION

Tab 36

PRESENTATION: Approval and presentation of Proclamation declaring the Week of April 10 through 16, 2005 as National Library Week

C. PUBLIC HEARING - 9:00 A.M. or as Soon Thereafter

1. PUBLIC HEARING

Tab 37

PUBLIC HEARING: Ordinance creating Lake County Public Safety Coordinating Council

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

VII. OTHER BUSINESS (Tabs 38 through 39)

Tab 38 Approval and execution of Resolution appointing a municipal elected official to the Tourist Development Council to complete an unexpired term ending December 1, 2006.

Tab 39 Appointment of individual to vacant District 1 position on the Board of Adjustment to complete an unexpired term ending January 31, 2009.

VIII. REPORTS

A. County Attorney (Tab 40)

Tab 40 Approval of Interlocal Agreement with municipalities relating to formation of a Water Planning Alliance.

B. County Manager

C. Commissioner Hill – Chairman and District #1 (Tab 41)

Tab 41 Approval and execution of Proclamation designating the week of April 9 through 16, 2005 as Crime Victims Week.

Discussion of County Manager six-month evaluation.

D. Commissioner Pool – District #2

E. Commissioner Stivender – District #3

F. Commissioner Hanson – District #4

G. Commissioner Cadwell – District #5

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Public Works at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

APRIL 11, 2005

1:00 P.M. Joint Meeting with the Lake County School Board concerning Impact Fees on Ad Valorem Tax Roll, County Administration Building, Room 233

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TENTATIVE AGENDA

APRIL 12, 2005

9:00 A.M. Board Retreat, County Administration Building, Room 233

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TENTATIVE AGENDA

APRIL 19, 2005

9:00 A.M. Regular Meeting

9:00 A.M. PRESENTATION: Auditor Presentation
or as Soon
Thereafter

9:00 A.M. PUBLIC HEARING: Special Assessment Project Number 94 (Forest Drive "Part", Laurel Court, and Hillcrest Drive "Part")
or as Soon
Thereafter

9:00 A.M. PUBLIC HEARING: Ordinance Adopting Joint Planning Agreement (JPA) with the City of Clermont (1st Hearing)
or as Soon
Thereafter

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TENTATIVE AGENDA

APRIL 26, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

MAY 3, 2005

9:00 A.M. Regular Meeting

5:05 P.M. PUBLIC HEARING: Ordinance Adopting Joint Planning Agreement (JPA) with the City of Clermont (Final Hearing)
or as Soon
Thereafter

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TENTATIVE AGENDA

MAY 10, 2005

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

MAY 17, 2005

9:00 A.M. Regular Meeting